

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PARRISH REDD,

Plaintiff,

No. 14-14340

v.

District Judge Marianne O. Battani
Magistrate Judge R. Steven Whalen

TERRANCE VAILS, ET AL.,

Defendants.

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ORDER

Plaintiff Parrish Redd, having filed a *pro se* civil complaint, now moves for appointment of *pro bono* counsel [Doc. #76].

Unlike criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. Rather, the Court requests members of the bar to assist in appropriate cases. In *Lavado v. Keohane*, 992 F.2d 601, 605-606 (6th Cir. 1993), the Sixth Circuit noted that “[a]ppointment of counsel in a civil case is not a constitutional right. It is a privilege that is justified only by exceptional circumstances.” (Internal quotations and citations omitted).

It is the practice of this Court to defer any attempt to obtain counsel for *pro se* civil Plaintiffs until after motions to dismiss or motions for summary judgment have been denied. Under this Court’s scheduling order, motions to dismiss under Fed.R.Civ.P. 12(c)

are not due until June 20, 2016, and motions for summary judgment are not due until January 6, 2017. At this point, Plaintiff's motion to appoint counsel is premature. If Plaintiff's claims ultimately survive dispositive motions, he may renew his motion for appointment of counsel at that time.

Accordingly,

IT IS ORDERED that Plaintiff's motion for appointment of counsel [Docket #76] is **DENIED WITHOUT PREJUDICE**.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Date: May 19, 2016

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on May 19, 2016, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager to the
Honorable R. Steven Whalen